United Nations A/65/PV.74

General Assembly

Sixty-fifth session

Official Records

74th plenary meeting
Friday, 14 January 2011, 11 a.m.
New York

President: Mr. Deiss ..... (Switzerland)

The meeting was called to order at 10.50 a.m.

Agenda item 133 (*continued*)

Scale of assessments for the apportionment of the expenses of the United Nations (A/65/691)

The President (*spoke in French*): In keeping with established practice, I now invite the attention of the General Assembly to document A/65/691, in which the Secretary-General informs the President of the Assembly that 18 Member States are in arrears in the payment of their financial contributions to the United Nations within the terms of Article 19 of the Charter.

I would like to remind delegations that, under Article 19 of the Charter,

> "A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years."

May I take it that the Assembly takes note of the information contained in document A/65/691?

It was so decided.

Agenda item 125

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Letters from the Secretary-General (A/65/529 and A/65/587)

Letter from the President of the Security Council (A/65/661)

Draft decision (A/65/L.57)

The President (*spoke in French*): We shall now proceed to consider draft decision A/65/L.57. I give the floor to the representative of the Secretariat.

Mr. Botnaru (Department of General Assembly and Conference Management): In connection with draft decision A/65/L.57, entitled "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994", I wish to put on record the following statement of financial implications on behalf of the Secretary-General, in accordance with

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rule 153 of the rules of procedure of the General Assembly.

By the draft decision, the General Assembly would decide that, notwithstanding the expiry of their term of office on 31 December 2010, Judge Joseph Asoka de Silva and Judge Taghrid Hikmet are authorized to complete the *Ndindiliyimana et al.* case, which they began before the expiry of their term of office; take note of the intention of the International Tribunal to complete the case in March 2011; decide that, notwithstanding the expiry of his term of office on 31 December 2010, Judge Joseph Masanche is authorized to complete the *Hategekimana* case, which he began before the expiry of his term of office; take note of the intention of the International Tribunal to complete the case in January 2011; and decide that, in order for the International Tribunal to complete existing trials or conduct additional trials, the total number of ad litem judges serving at the International Tribunal may from time to time temporarily exceed the maximum of nine provided for in article 11, paragraph 1, of the Statute of the International Tribunal, to a maximum of 12 at any one time, returning to a maximum of nine by 31 December 2011.

The extension of the terms of office of Judge Joseph Asoka de Silva and Judge Taghrid Hikmet through March 2011 and of Judge Joseph Masanche through January 2011 would require a total payment in honoraria amounting to $84,300 for an aggregate period of seven additional months. This additional requirement is in addition to the amount included in the revised estimates relating to the budget of the Tribunal for the biennium 2010-2011 (A/65/178).

With regard to temporarily exceeding the maximum of nine provided for in article 11, paragraph 1, of the Statute of the International Tribunal to a maximum of 12 at any one time, returning to a maximum of nine by 31 December 2011, the Tribunal, based on the latest trial schedule, envisages requiring the services of two additional ad litem judges over and above the maximum nine ad litem judges for a period of eight months during 2011. This would entail the payment of eight additional months of honoraria, in the amount of $154,100. This requirement is in addition to the amount included in the revised estimates relating to the budget of the Tribunal for the biennium 2010-2011 (A/65/178).

Accordingly, should the General Assembly adopt draft decision A/65/L.57, additional requirements in the amount of $238,400 for honoraria would arise under the budget for the Tribunal for the biennium 2010-2011. The Tribunal would make every effort to meet these additional requirements from within the overall resources amounting to $257,804,100 approved for the Tribunal for the biennium 2010-2011.

The President (*spoke in French*): The Assembly will now take action on draft decision A/65/L.57.

May I take it that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 125.

Agenda item 126

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Letter from the Secretary-General (A/65/588)

Letter from the President of the Security Council (A/65/662)

Draft decision (A/65/L.58)

The President (*spoke in French*): We shall now proceed to consider draft decision A/65/L.58.

I give the floor to the representative of the Secretariat.

Mr. Botnaru (Department of General Assembly and Conference Management): In connection with draft decision A/65/L.58, entitled "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991", I wish to put on record the following statement of financial implications on behalf of the Secretary-General, in accordance with rule 153 of the rules of procedure of the General Assembly.

By the draft decision, the General Assembly would decide that, notwithstanding the expiry of his term of office on 31 December 2010, Judge Kevin Parker is authorized to complete the *Đorđević* case,

which he began before the expiry of his term of office, and take note of the intention of the International Tribunal to complete the case by the end of February 2011; and decide that, notwithstanding the expiry of his term of office on 31 December 2010, Judge Uldis Kinis is authorized to complete the *Gotovina et al.* case, which he began before the expiry of his term of office, and take note of the intention of the International Tribunal to complete the case by the end of March 2011.

The extension of the term of office of Judge Kevin Parker would require the payment of two additional months of honoraria, while the extension of the term of office of Judge Uldis Kinis would require the payment of three additional months of honoraria, amounting in total to $146,400 above the amount appropriated in the revised appropriation for the biennium 2010-2011.

Accordingly, should the General Assembly adopt draft decision A/65/L.58, additional requirements in the amount of $146,400, representing an aggregate of five months of honoraria, would arise under the budget for the Tribunal for the biennium 2010-2011. The Tribunal would make every effort to meet these additional requirements from within the overall resources amounting to $320,511,800 approved for the Tribunal for the biennium 2010-2011.

The President (*spoke in French*): The Assembly will now take action on draft decision A/65/L.58.

May I take it that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The President (*spoke in French*): The General Assembly has thus concluded this stage of its consideration of agenda item 126.

Agenda item 7 (*continued*)

Organization of work, adoption of the agenda and allocation of items

Request for the inclusion of an additional sub-item submitted by the Secretary-General (A/65/232)

The President (*spoke in French*): The General Assembly will now take up a request submitted by the Secretary-General in document A/65/232, relating to the appointment of a judge of the United Nations Appeals Tribunal.

In his letter, the Secretary-General informs the General Assembly of the resignation of Judge Rose Boyko as a judge of the United Nations Appeals Tribunal effective 15 January. A vacancy in the Tribunal will therefore occur on that date.

As the agenda of the sixty-fifth session of the General Assembly does not contain a sub-item on the appointment of a judge of the United Nations Appeals Tribunal, the Secretary-General has deemed it necessary to request, pursuant to rule 15 of the rules of procedure of the General Assembly, the inclusion in the agenda of the current session of an additional sub-item entitled "Appointment of a judge of the United Nations Appeals Tribunal", under agenda item 113, entitled "Appointments to fill vacancies in subsidiary organs and other appointments".

Owing to the nature of the item, unless there is an objection, I shall take it that the General Assembly agrees to waive the relevant provision of rule 40 of the rules of procedure, which would require a meeting of the General Committee on the question of the inclusion of this additional sub-item on the agenda.

It was so decided.

The President (*spoke in French*): May I take it that the General Assembly, on the proposal of the Secretary-General, wishes to include in the agenda of the current session an additional sub-item entitled "Appointment of a judge of the United Nations Appeals Tribunal", as a sub-item of agenda item 113 under heading I (Organizational, administrative and other matters)?

It was so decided.

The President (*spoke in French*): The Secretary-General has requested that the sub-item be considered in plenary meeting. May I take it that it is the wish of the Assembly to consider this sub-item directly in plenary meeting?

It was so decided.

The President (*spoke in French*): I should like to inform members that this additional sub-item becomes sub-item (g) of agenda item 113 of the current session.

Agenda item 122 (*continued*)

Cooperation between the United Nations and regional and other organizations

(l) Cooperation between the United Nations and the International Organization of la Francophonie

Draft resolution (A/65/L.26/Rev.1)

The President (*spoke in French*): Members will recall that the Assembly held the debate on agenda item 122 and its sub-items (b) to (w) at its 63rd and 64th plenary meetings on 13 December 2010.

I now give the floor to the representative of Switzerland to introduce draft resolution A/65/L.26/Rev.1.

Mr. Seger (Switzerland) (*spoke in French*): As representative of the Swiss chairmanship of the thirteenth Summit of the International Organization of la Francophonie and as spokesperson of the group of Francophone Permanent Representatives, I have the honour to introduce draft resolution A/65/L.26/Rev.1, which I would now like to summarize.

The heads of State and Government of countries using French as a common language met at the thirteenth Summit of la Francophonie, held in Montreux from 22 to 24 October 2010. At that meeting, which coincided with the fortieth anniversary of the establishment of the International Organization of la Francophonie, leaders reaffirmed the links established by the French language between their peoples, States and Governments on the five continents. They also reiterated their desire to promote cultural diversity and multilingualism.

The 75 member States and Governments of the International Organization of la Francophonie, which represent more than a third of the Member States of the United Nations, are important participants in United Nations multilateral cooperation, in particular in the areas of development, democracy and the prevention and resolution of conflicts and in supporting human rights and the rule of law.

The draft resolution before the Assembly for adoption reflects the close links between the United Nations and the International Organization of la Francophonie. It also calls for further strengthening existing ties and follows up on the resolution on cooperation between the two organizations that was adopted by consensus two years ago (resolution 63/236). Moreover, the draft resolution highlights the role of la Francophonie as both an actor on the international stage and as a forum for consensus between countries of the North and South.

The draft resolution also expresses the desire of the International Organization of la Francophonie to implement the principles of the 3 November 2000 Bamako Declaration — which, as the Assembly is aware, pertain to the practice of democracy, rights and freedoms in Francophone countries. Those principles were underscored in the 14 May 2006 Saint-Boniface declaration on human security and the prevention of conflicts. La Francophonie is also keen to participate actively in resolving economic, social and humanitarian problems, in particular by working with the United Nations, thereby making a contribution to coordinating efforts in that regard.

The International Organization of la Francophonie also serves as a forum for sharing best practices with regard to combating serious cross-cutting issues, such as piracy, terrorism, organized crime, corruption and trafficking in drugs and human beings — threats facing many French-speaking countries.

United Nations peacekeeping operations are another area of interest to the International Organization of la Francophonie, given that they concern many French-speaking countries. Our organization believes that it is highly desirable that troops deployed in French-speaking countries be able to communicate in French. In reality, that is not yet the case today. La Francophonie believes that it is up to the United Nations to ensure respect for multilingualism in peacekeeping operations. The draft resolution also maintains that there should be sufficient French-speaking troops in peacekeeping operations taking place in French-speaking countries.

I should like to conclude by reiterating that the International Organization of la Francophonie will continue to pursue its efforts to achieve the Millennium Development Goals, especially with regard to education, as well as to bear in mind the needs of the most vulnerable States, several of which are members of our organization.

The President (*spoke in French*): The Assembly will now take a decision on draft resolution A/65/L.26/Rev.1. I give the floor to the representative of the Secretariat.

Mr. Botnaru (Department of General Assembly and Conference Management): I should like to announce that since its publication, the following countries have become sponsors of draft resolution A/65/L.26/Rev.1: Australia, Ireland, Liechtenstein, Madagascar, Mauritius and Portugal.

The President (*spoke in French*): May I take it that the Assembly decides to adopt draft resolution A/65/L.26/Rev.1?

Draft resolution A/65/L.26/Rev.1 was adopted (resolution 65/263).

The President (*spoke in French*): I now give the floor to the representative of the Democratic Republic of the Congo, who wishes to speak in explanation of position following the adoption of resolution 65/263.

Mr. Ileka (Democratic Republic of the Congo) (*spoke in French*): I take the floor in my capacity as the Permanent Representative of the Democratic Republic of the Congo in connection with the Assembly's adoption today of resolution 65/263, on cooperation between the United Nations and the International Organization of la Francophonie.

In that connection, I should like to point out that my country will host the fourteenth Summit of heads of State and Government of countries that share the French language. First of all, on behalf of my country, allow me to commend Switzerland for its excellent efforts in organizing the thirteenth Summit, at which the Montreux declaration and resolutions were adopted. I would also like to duly acknowledge His Excellency President Abdou Diouf, Secretary-General of the International Organization of la Francophonie, who continues to work tirelessly to raise awareness of our organization, including its profile in the press.

His Excellency Mr. Joseph Kabila Kabange, President of the Democratic Republic of the Congo, emphasized at Montreux my country's willingness to host its Francophone colleagues at a summit of la Francophonie. I should like to take this opportunity to thank all the member States of la Francophonie for choosing the Democratic Republic of the Congo as host of the 2012 Summit, which is something that has for many years been the hope and desire of the Congolese people. We assure the members of la Francophonie of the commitment of the Democratic Republic of the Congo to establish the optimal conditions for the success of that meeting in order to make it a landmark event for the organization.

I would like to assure the Assembly that the 2012 Summit in Kinshasa will not be an event for the Democratic Republic of the Congo alone; it will also be an event for the countries of the Great Lakes region and Central Africa, as well as for all of Africa. In the purest expression of the African and Congolese tradition of hospitality, I would like to take this opportunity to say to all those who will come to the Summit — whether they speak Lomongo, Lingala, Kikongo, Chiluba or Swahili — that they are welcome in Kinshasa, a city in the heart of the first continent.

The Democratic Republic of the Congo welcomes the fact that the General Assembly has acknowledged the main outcomes, resolutions and decisions of the thirteenth Summit of la Francophonie as comprising elements aimed at demonstrating the determination of countries that share the French language and at making their contribution, including the value added of their multilateral cooperation vis-à-vis the efforts of the United Nations.

Taking into account the commitments in previous resolutions, resolution 65/263, which we have just adopted, provides new impetus to the participation of the International Organization of la Francophonie with regard to preventing and resolving conflicts, United Nations peacekeeping operations and joint efforts aimed at peacebuilding, including election assistance and monitoring in Francophone countries.

In that connection, I would like to take the opportunity afforded by the adoption of this resolution to reiterate the readiness of the Democratic Republic of the Congo — a post-conflict country — to support cooperation with the United Nations as a model tool in the hands of Member States to implement the Organization's relevant decisions, resolutions and recommendations.

I would like in particular to commend the provision in the resolution by which the General Assembly expresses its satisfaction with continued cooperation between the United Nations and la Francophonie in the area of electoral assistance and monitoring. I should like to point out that 2011 will be a significant electoral year in my country. In line with the elections process, the Congolese people will once again be given an opportunity to speak in order to choose the men and women who will preside over their

future at the local, regional and national levels. The assistance and solidarity that the international community will extend to our people in that regard — from la Francophonie but first and foremost from the United Nations — will no doubt provide invaluable support in strictly abiding by our country's Constitution and laws.

I would also like to take this opportunity to thank Member States for the solidarity and assistance they continue to provide in resolving the many problems that my country continues to face.

La Francophonie is not just a group of countries that share the use of the French language. It is also a forum for solidarity and common understanding among peoples from different cultures who are linked by a common destiny and who share in both sadness and joy. It is against that backdrop that la Francophonie is increasingly involved in energy and sustainable development issues, efforts to achieve the Millennium Development Goals and the question of biodiversity.

In that regard, la Francophonie provides our countries with support and advice in international negotiations on climate change, debt issues and economic and trade matters. In addition to areas in which it has traditionally been active, these new spheres of activity constitute additional elements of complementarity and convergence between la Francophonie and the United Nations.

The Francophone family has continued to grow throughout the years, adding four members during its thirteenth session. We are convinced that, as has been the case in other Francophone countries, cooperation between the United Nations and the International Organization of la Francophonie will contribute to the success of our electoral exercise.

The President (*spoke in French*): In accordance with resolution 33/18, of 10 November 1978, and decision 53/453, of 18 December 1998, I now call on the observer for the International Organization of la Francophonie.

Mr. Camara (International Organization of la Francophonie) (*spoke in French*): The privilege of taking the floor at the 74th plenary meeting, which is the first meeting of 2011, also provides me the distinct honour and great pleasure to convey to the General Assembly the best wishes of His Excellency Mr. Abdou Diouf, Secretary-General of the International Organization of la Francophonie, as well as my own best regards.

The Secretary-General of la Francophonie, who met you in Paris a few weeks ago, has asked me to reiterate his great appreciation for the exemplary and masterly manner in which you, Mr. President, are guiding the work of the sixty-fifth session. Your mastery of debate honours la Francophonie and its member States. Rarely is the French language — one of the two working and six official languages of the United Nations, as well as the umbilical cord of our community — heard in the Assembly's debates. Allow me in particular to convey the greetings and gratitude of President Diouf to His Excellency Mr. Ban Ki-moon.

I should also like to thank Switzerland. In its capacity as Chair of the Summit of heads of State and Government of la Francophonie, Switzerland ensured the success of the preparatory process and introduced the resolution that the Assembly has just adopted (resolution 65/263). I thank Ambassador Paul Seger for his willingness and dedication in taking responsibility for this issue.

I also wish to thank Ambassador Seger for drawing members' attention to the importance and relevance of the Montreux Declaration and the various resolutions on several areas of concern, including the Bamako Declaration on the Practices of Democracy, Rights and Freedoms in the French-speaking Community, which was adopted 10 years ago; crisis, post-crisis and peacebuilding situations in the Francophone community; the strengthening of cooperation between States in order to combat bogus and counterfeit medicines; bolstering international cooperation to fight transnational organized crime; combating piracy and terrorism; and taking advantage of such opportunities as innovative financing and sustainable tourism.

I am pleased that such concerns of the heads of State and Government of la Francophonie have garnered broad consensus in the General Assembly, thereby underscoring the fact that la Francophonie is a forum for harmonizing countries' efforts to common ends, as called for in the resolution just adopted.

According to a well-known saying in my country, counting one's friends in the village carries the risk of increasing one's enemies. As paradoxical as that may seem, I cannot fail to avail myself of this opportunity

to thank our main partners who directly and indirectly support the efforts of la Francophonie.

In that regard, I assure the Assembly that my gratitude is not intended to leave anyone out; it also includes all those who, although I have not thanked them directly, nevertheless merit our thanks. First and foremost, I wish to thank Mr. Ban Ki-moon for being accessible and for his promptness in responding to requests from la Francophonie. We also express our thanks for the availability of his main colleagues, both in his Office and in the principal Departments and Services dealing with la Francophonie.

I have been privileged to see them at work, but those present here have also been able to see for themselves the progress that Mr. Ban has made in learning the French language, to the point that he can now give interviews and hold conversations in French. I respectfully commend his fervent desire to learn, master and put into practice a language used by 72 Member States in order to build solidarity, establish a vision and carry out efforts. May the Secretary-General's determination spread to the many staff and senior officials of the United Nations in order that countries too may be united around that which most characterizes them, and which they hold most dear, namely, their language.

This desire to cooperate has facilitated and encouraged the numerous productive efforts undertaken jointly by the United Nations and la Francophonie — whether with regard to preventing or managing crises and conflicts; keeping or building the peace; promoting democracy and the rule of law through electoral assistance and monitoring; promoting rights and freedoms; mobilizing countries to achieve the Millennium Development Goals, especially in countries with the greatest needs; promoting and supporting sustainable development, renewable energy and biodiversity; or supporting cultural and linguistic diversity and promoting multilingualism. With regard to the latter, I wish to thank the Ambassador of the Democratic Republic of the Congo for demonstrating his multilingual abilities in celebrating the International Year of la Francophonie and all the other years devoted to other United Nations languages at the Assembly. In that way, la Francophonie and the United Nations have worked together closely in the French-speaking community, to the satisfaction of the States and Governments concerned.

The resolution that the Assembly has just adopted is the best example and acknowledgement of this exemplary cooperation. I note that it is also the outcome of numerous fruitful meetings and contacts between Mr. Ban Ki-moon and Mr. Abdou Diouf, as well as the result of the synergies and points of convergence that the staff and senior officials of our two organizations have identified as part of their respective programmes to build an effective and constructive partnership.

The course charted and pursued by our two Secretaries-General and the results that have been achieved and welcomed by the Assembly would not have been possible without the ongoing and resolute support of Francophone Ambassadors at the United Nations in New York, Geneva and Addis Ababa. Those representatives have succeeded in judiciously managing their respective national mandates to provide the essential collective support for the goals of la Francophonie in its relationship with the United Nations.

I should like to express my deep gratitude to the President, the members of the Bureau and those of the group of Francophone Ambassadors in New York for the support they extend to me in carrying out my duties.

I am also conscious of the interest shown by the Permanent Mission of the United States of America in the Permanent Observer Mission of la Francophonie. In that regard, I wish to thank the host country for the support and attention given to la Francophonie and its Permanent Observer.

I am also very grateful for the interest that the authorities of the State and City of New York have shown with regard to the observance of the International Day of la Francophonie, which is now an important cultural event in both the City and State of New York.

As part of his once national and current international responsibilities, President Abdou Diouf has always worked on behalf of men and women whom we do not often see. When a crowd of people gathered around him to express its affection and gratitude, President Diouf reserved his first words to courteously, amicably and sincerely express his own gratitude to the leaders, officials and staff of the secretariat of the Summit. I would like to emulate his gesture by expressing, on his behalf as well as my own, the same

wise words he used in order to say to each and every interpreter and translator and to every member of each of the language services that they are the bridge and channel that make it possible for the representatives of nations to communicate, understand each other and decide.

The President (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (l) of agenda item 122?

It was so decided.

The meeting rose at 11.35 a.m.